

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:09-CR-146-2F  
No. 7:09-CR-146-3F

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
v.                              )  
                                  )  
                                  )  
BEN DAVIS HARRIS,          )  
BOBBY RAY SAMPSON,        )  
Defendants.                  )

ORDER  
AMENDING JUDGMENT

This matter came before the court on April 27, 2010, for sentencing of the above captioned defendants. Having reviewed the resulting Judgment, entered into the record on the same day, the court is aware of two clerical errors therein. [DE-35]; [DE-36]. Accordingly, this court finds that the provisions of each of the Judgments on page 2 of 5 which state: "The defendant shall not possess a firearm, destructive device or any other dangerous weapon" and "The defendant shall cooperate in the collection of DNA as directed by the probation officer" were inadvertently marked as provisions which apply to the terms of the defendants' probation, but which, in actuality, do not. Therefore, these provisions should be stricken from the Judgment for both defendants and should not be considered terms of their probationary sentence. FED. R. CRIM. PRO. 36.

Except as herein modified, the Amended Judgment of this court dated April 27, 2010, in all respects, is RATIFIED as entered. The Clerk of Court, therefore, is directed to enter an amended judgment reflecting these changes ordered herein.

SO ORDERED.

This the 20<sup>th</sup> day of May, 2010.

  
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JAMES C. FOX  
Senior United States District Judge